

III. Remarks

Independent claims 31 and 32, dependent amended claims 2, 3, 5-7, 12-17, 20, 22, 23, 25-28, and 30 and dependent formerly presented claims 21 and 29 are pending in the application. Independent claims 31 and 32 strictly incorporate the limitations of dependent claims 10 and 11 which were indicated to be allowable in the Official Communication mailed on June 18, 2003. The application has been amended to more particularly point out and distinctly claim the subject matter indicated by the Examiner to be allowable in the June 18, 2003 communication. All pending claims having been amended to define allowable subject matter, applicant submits that the present amendment is properly entered under 37 CFR § 1.116. With regard to the various bases of the **DETAILED ACTION**, applicant responds:

A. The claim rejection under 35 USC § 112:

Claim 13 is corrected in accordance with the Examiner's suggestion. In new claim 31, the communication link is associated with transmitting information about the funds transfer to the institution identified as the custodian of the payor's account as well as to other participants in the system. In claim 32, the controller is described as controlling the exchange of data among the payee/institution, the payor institution and the payment system. As to both claims, in a payment system the exchange of payor and payee information in the system is an implicit functionality, however, the claims are clarified to provide that the link or controller effects the transmission among the entities such that in the overall system the payor receives the image in the process.

B. The claim rejection under 35 USC § 103:

The Examiner's comments concerning Stephens *et al.* are noted, however, independent claims 31 and 32 now strictly incorporate the limitations of dependent claims 10 and 11 which were indicated to be allowable in the Official Communication mailed on June 18, 2003, and the rejection under Section 112 is overcome as stated above. Applicant accordingly submits that with claim 31 or claim 32 being allowable as presently submitted, and all other pending claims being dependent on either claim 31 or claim 32, this case should be allowed and passed to issue.

C. Conclusion

Should the Examiner have any questions or suggestions in view of the foregoing, the Examiner is requested to telephone applicant's undersigned attorney.

Reexamination, reconsideration and allowance are respectfully requested.

Respectfully submitted,



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I hereby certify that this Response to the Final Action Mailed on September 24, 2003, Transmittal Form (Form PTO/SB/21) and Extension Form (Form PTO/SB/22) (2 copies) are being filed by facsimile to 703-305-7687 for After Final communications, Attention Examiner Sandra S. Snapp, Group 3624 [c/o Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450] on March 15, 2004.



Edwin M. Baranowski

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